IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 486 OF 2004

IN

CENTRAL EXCISE APPLICATION (L) NO. 105 OF 2003

The Commissioner of Central Excise,
Pune-II .. Petitioner

V/s

M/s Amit Weaving Mills Ltd. .. Respondent

Mr.A.S. Rao for the Petitioner.

None present for the Respondent.

CORAM : H.L. GOKHALE & J.P. DEVADHAR, JJ.

DATE : 30th November 2006

P.C. :

1. Heard Mr.Rao in support of this motion. None present for the Respondent.

2. Motion seeks condonation of delay of 64 days in filing the Application. Explanation is given in the supporting affidavit. Motion and affidavit in support are served on the Respondent. Nobody is present on behalf of the Respondent. We accept the explanation given in the affidavit in support. Motion is allowed in

terms of prayer (a). Delay is condoned. Application be numbered and be listed on 7th December 2006.

3. Mr.Rao states that on the next date, he will inform the court about the appeal, if any, filed against the judgment of a single Judge of the Madras High Court, which was relied upon by the Respondent before the CEGAT and whether any such similar matters are admitted by this Court.

4. Motion stands disposed of.

(H.L. GOKHALE, J.)

(J.P. DEVADHAR J.)